

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**EMPLOYERS AND OPERATING  
ENGINEERS LOCAL 520  
PENSION FUND, et a.,**

**Plaintiff,**

**v.**

**CHAPMAN EXCAVATING &  
CONCRETE CONSTRUCTION, INC.,**

**Defendant.**

**No. 08-722-DRH**

**ORDER**

**HERNDON, Chief Judge:**

Before the Court is Plaintiffs' notice of voluntary dismissal without prejudice (Doc. 8). Specifically, Plaintiffs move to dismiss without prejudice their claims against Defendant Chapman Excavating & Concrete Construction, Inc.. The Court **ACKNOWLEDGES** Plaintiffs' dismissal and **DISMISSES** without prejudice Plaintiffs' cause of action against the Defendant. The Court will close the file.

**IT IS SO ORDERED.**

Signed this 7th day of May, 2009.

/s/ David R. Herndon

**Chief Judge  
United States District Court**